

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Requests for Waiver of the Form 471 Deadline)	
)	
Maryvale Education Center)	Form 471: 161045809
BEN: 177857)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	

Request for Waiver

Background

The Arc of Erie County, located in Buffalo, NY, is part of a national organization supporting programs with intellectual and developmental disabilities. On 2/21/2018, The Maryvale Education Center (BEN 177857) submitted a Form 470. The allowable contract date was 3/21/2018, one day before the Form 471 filing deadline. Within the last couple of years, The Maryvale Education Center had tremendous turnover with administrators within the school.

On March 1, 2018, the contact on the Form 470 (Angel Slisz) separated from the organization on March 1, 2018. This created a severe hardship within the organization trying to understand where they were in the process during the Form 471 application window. The new contact at the school had a difficult time trying to register and navigate through the portal, but finally submitted a Form 471. On 4/2/2018, The Maryvale Education Center received a notice from USAC stating a late Form 471 was filed.

The Arc Erie County New York ("AECNY") offers individualized and comprehensive Person-centered services and compassionate support to people with developmental disabilities and their families. As a leading agency in Western New York for over 65 years, they take pride in their mission and advocacy that builds and strengthens the entire community. They are deeply dedicated to the people they support and their families who rely on their expertise to assist them in the discovery and delivery of life-long educational, employment, vocational, residential and support programs and resources. Their clients turn to them to assist them in exploring all the available service options within their communities, so they can find meaningful opportunities, employment, a safe place to call home and the ability to achieve their greatest potential. Their far-reaching knowledge and capabilities allows them to customize programs to individuals' wants, needs and interests, thus encouraging independence and a desire to reach personal goals.

Discussion

The Maryvale Education Center filed a late Form 471 with no Waste, Fraud, or Abuse to the E-rate Program attended. The FCC has set two main precedents with respect the school's situation. The Bishop Perry Order set precedence with respect to granting applicants waivers for late Form 471's. The order specifically stated, "...we find that the complete rejection of these applications is not warranted, given that the violation at issue is procedural, not substantive. "¹ The decision made by the FCC with respect to the Academy of Math and Science decision (FCC 10-22)² is the second example of why The Maryvale Education Center respectfully request the FCC grants a waiver for Form 471 application number 161045809. The commission stated, "The remainder of petitioners failed to file an FCC Form 471 in a timely manner due to circumstances beyond their control, such as school reorganizations or inclement weather."

Conclusion

In conclusion, we reiterate that the school has not participate in any waste, fraud, or abuse of the E-Rate program, and we respectfully submit the waiver request for Form 471 161045809.

On behalf of the Maryvale Education Center

Anthony White

¹ *Bishop Perry Order*, 21 FCC Rcd at 5323, para. 14. (FCC 06-54)

² *Academy of Math and Science* (FCC 10-122)